IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 18101 of 2006(E)

PETITIONER:

PRAMEELA DEVI,
PROPRIETRIX, M/S. USHA RICE, FLOUR,
AVIL AND OIL MILL, KUNNATHERI, (PO) CHALISSERY,
PALAKKAD DISTRICT.

BY ADV. SRI.P.CHANDRASEKHAR

RESPONDENTS:
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1. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL MAJOR SECTION, KERALA STATE ELECTRICITY
BOARD, CHALISSERY (PO), PALAKKAD DISTRICT.

2. THE ASSISTANT EXECUTIVE ENGINEER,
APTS, KERALA STATE ELECTRICITY BOARD, PALAKKAD.

3. THE DEPUTY CHIEF ENGINEER,
APTS, KERALA STATE ELECTRICITY BOARD, PALAKKAD.

BY ADV. SRI.C.K. KARUNAKARAN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE PHOTOCOPY OF THE MAHAZAR DATED 29.5.2004 OF THE 2ND RESPONDENT.

EXT.P2 TRUE PHOTOCOPY OF THE BILL DATED 31.5.2004 OF THE FIRST RESPONDENT.

EXT.P3 TRUE PHOTOCOPY OF THE ORDER NO. APTS/BV/1732/KKD/115.H. 22/6/06 DATED 19.6.2006 OF THE THIRD RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 18101OF 2006

Dated this the 20th day of June, 2007

JUDGMENT

Petitioner is challenging additional bill raised after the Board noticed that the meter in one of the phases was not working. The demand is confirmed in appeal. It is seen that demand is raised based on estimate by taking average consumption for six months. Therefore there is no scope for interference with the demand. However, since recovery was stayed by this Court, there will be direction to respondents not to recover any surcharge or interest, if balance arrears is paid on or before 15.7.2007. If payment is not made as above, then surcharge/interest will also be recovered from the petitioner.

W.P. is disposed of as above.

(C.N.RAMACHANDRAN NAIR)
Judge